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AMH(305C)
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6/25/04

Serial No. 10/803,394

Atty. Docket No. 13DV-13811-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Charles William Carrier, et al. : Group Art Unit:
Serial No.: 10/803,394 : Examiner:
Filed: March 18, 2004 : Response to Paper No.
For INERTIA WELDED SHAFT AND
METHOD THEREFOR

ATTN: LICENSING AND REVIEW

RESPONSE TO NOTICE

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Licensing and Review

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SIR:

This communication is in response to the Notice dated May 7, 2004, which indicated that the subject matter of the present application appears to "have significant utility in the conduct of aeronautical and space activities." Accordingly, applicant submits herewith a statement by the inventors (in the form of [a] declaration[s] as provided by 37 CFR 1.68) setting forth the full facts concerning the circumstances under which the claimed invention was made and conceived, including that the claimed invention was not made (conceived or first actually reduced to practice) under any contract of the National Aeronautics and Space Administration and does not have any known relationship to the

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8 (a))

I hereby certify that this correspondence is, on the date shown below, being:

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Patrick R. Scanlon
Signature
Patrick R. Scanlon

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performance of any work under any contract of the National Aeronautics and Space Administration.

In view of the above, it is submitted that the present application is appropriate for examination. An action on the merits is awaited.

Respectfully submitted,

6/2/04

Date

Patrick R. Scanlon

Patrick R. Scanlon
Reg. No. 34,500
207-791-1276

9038-3747



✓
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/803,394	03/18/04	CARRIER	13DV-13811-2

PATRICK R. SCANLON
PIERCE ATWOOD
ONE MONUMENT SQUARE
PORTLAND, ME 04101

EXAMINER

ART UNIT PAPER NUMBER

PATENT & TRADEMARK OFFICE

MAILED

DATE MAILED:

MAY - 7 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

- be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-0211

703 305-0211

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**